



April 17, 2006

Reply to Attn of:

General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Approval for Employees with Senior Institutional or Project Responsibilities to Attend Michoud Assembly Facility (MAF) Open House Events

In accordance with 5 C.F.R. 2635.204(g)(2) and (3), I make the following determination.

A number of NASA employees will be attending the MAF Open House, which is co-sponsored by Louisiana Economic Development (LED) and Marshall Space Flight Center (MSFC). The Open House is a structured event, with presentations and tours, designed to familiarize non-NASA attendees with potential opportunities to utilize NASA's MAF, including the potential directed use of MAF for CLV Upper Stage manufacturing. The Open House is scheduled for April 19, 2006. All attendees, including those from NASA, are invited to a reception and a breakfast at the New Orleans Marriott Hotel, where most will be staying. Both social events will be funded by LED, a state agency. The reception will be held on April 18 after registration for the Open House. The breakfast will be on April 19 immediately preceding the Open House. The estimated value of the reception is \$22.00 and the estimated value of the breakfast is \$16.00.

Both functions will be attended by state and local governmental leaders, officials, from other Federal agencies, and possibly members of Congress, as well as industry representatives from Louisiana and elsewhere. Over 200 people are expected to attend the Open House, with more than two-thirds being non-NASA participants. Most of these people are expected to participate in the reception and breakfast. I find that the reception and the breakfast meet the requirements of a "widely attended gathering" as defined in 5 CFR §2635.204(g)(2).

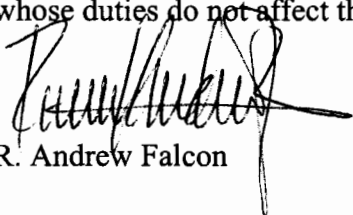
Some Headquarters personnel participating in the Open House have duties that may substantially affect the interests of LED. These personnel include the Exploration Systems Mission Directorate (ESMD) Chief of Staff, the Program Executive for CLV, the ESMD Special Procurement Advisor, the Constellation Program Office contracts integrator, and an aerospace engineer in the Space Shuttle Program Office. These

personnel are similarly situated in that they each have senior institutional or project responsibilities that could significantly influence the extent to which NASA utilizes MAF in the future. This in turn would affect LED's interest in economic development in the state.

I have determined that free attendance of these senior institutional and project leaders at the reception and breakfast in conjunction with the Open House is in the interests of the Agency because it will further agency programs and operations. Louisiana has had a long-standing and significant role in supporting NASA programs. Despite difficult post-Katrina circumstances, MAF continues to play a crucial role in returning the Space Shuttle to flight and supporting the Space Shuttle program through the Shuttle's retirement in 2010 MAF is also expected to play a major role in the development and production of new launch vehicles for the Constellation Program. The Louisiana Economic Development agency and NASA have similar interests in disseminating information about the availability of MAF as a location for performing NASA program-related work, and other work that is in NASA's interest. The attendance of these senior NASA employees at the reception and the breakfast will help to raise NASA's profile with state and local business and governmental leaders, will contribute to community relations, and will support NASA's objectives for the Open House. Senior governmental and business leaders are expected to be present, which further supports the desirability of having senior NASA leaders present also.

The total per-person costs for the reception and breakfast is estimated at \$38.00. Given the purpose of the event, the alignment of LED's interests with NASA's in this case, the broad attendance anticipated, and the modest market value of these social events, I have determined that the value to the agency in having these senior institutional and project leaders attend the reception and breakfast outweighs any concern that free attendance may or may appear to improperly influence them in the performance of their duties.

Accordingly, NASA employees in the positions identified above may accept free attendance at the reception and the breakfast at the New Orleans Marriott. They may also accept invitations for accompanying spouses or guests. Free attendance by employees whose duties do not affect the sponsor is addressed in a separate determination.



R. Andrew Falcon